

# Exhibit A

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION**

ASSOCIATION OF AMERICAN )  
PHYSICIANS AND SURGEONS )  
EDUCATIONAL FOUNDATION, )  
PIERRE KORY, M.D., PAUL MARIK, M.D., )  
and KARL N. HANSON, M.D., )

Plaintiffs, )

v. )

AMERICAN BOARD OF INTERNAL )  
MEDICINE, AMERICAN BOARD OF )  
OBSTETRICS & GYNECOLOGY, )  
AMERICAN BOARD OF FAMILY )  
MEDICINE, and KRISTI NOEM, in her )  
official capacity as the Secretary of the U.S. )  
Department of Homeland Security, )

Defendants. )

Case No. 3:22-cv-240

**PLAINTIFFS' FIRST REQUEST FOR THE PRODUCTION OF DOCUMENTS  
BY DEFENDANT KRISTI NOEM, IN HER OFFICIAL CAPACITY AS THE  
SECRETARY OF THE U.S. DEPARTMENT OF HOMELAND SECURITY**

Plaintiffs Association of American Physicians and Surgeons Educational Foundation ("AAPS"), Pierre Kory, M.D. ("Kory"), Paul Marik, M.D. ("Marik"), and Karl N. Hanson, M.D. ("Hanson" and, collectively, the "Individual Plaintiffs"), through undersigned counsel and pursuant to FED. R. CIV. P. 26 and 34, hereby serve their first request for production of documents within 30 days as required by Rule 34, on Defendant Kristi Noem, in her official capacity as the Secretary of the U.S. Department of Homeland Security ("DHS"):

### **Definitions**

1. “Person” includes any natural person, governmental unit or entity, partnership, firm, corporation, or any other form of business organization, arrangement, or legal entity, and includes plural as well as singular.

2. “Document” means the original and each non-identical copy of anything handwritten, electronically typed, printed, recorded, or photo’d, including without limitation all emails, letters, memoranda, handwritten notes, periodicals, pamphlets, reports, records, audits, minutes, logs, working papers, agreements, contracts, charts, indices, lists, data sheets, drawings, and calculations however produced or reproduced, now or formerly in the possession, custody or control of DHS.

3. “You” means DHS, including all of its employees, officers, Federal Advisory Committee Act (FACA) committee or its subcommittee members, and agents.

### **Instructions**

1. The time period for these requests are all documents created, emailed, or received between January 1, 2022 and the present.

2. These requests seek the responsive documents in a “pdf” format.

3. If you withhold information otherwise discoverable under these rules by claiming that it is privileged or subject to protection as trial preparation material, you shall make the claim expressly and shall describe the nature of the documents or communications not produced or disclosed in a manner that will enable other parties to

assess the applicability of the privilege or protection, without revealing the privileged contents themselves.

4. All grounds for an objection to a request shall be stated with specificity, setting forth the detailed reasons for it. If you object or otherwise decline to set forth in your response any of the information requested herein, for each request, you are instructed to specify the following:

a. The grounds upon which you rely and assert that the information is privileged or otherwise protected from discovery. If objection is made in part, specify to which part is objected;

b. The complete identity of the privileged information, including but not limited to:

- i. The date of the communication;
- ii. The identity of all persons who are parties to the communication including all those who made and received the communication;
- iii. The subject matter of the communication; and
- iv. The number designating the applicable request to which it responds.

### **Requests for Production**

Please produce copies of the following to the undersigned counsel for Plaintiffs:

1. All documents relating to the Disinformation Governance Board or its disbanding as announced by DHS on August 24, 2022, including all documents relating to the drafting and approval of the disbanding announcement by DHS on that date.

2. All documents relating to the selection of members of the Homeland Security Advisory Council, including any documents relating to any attempt to obtain the FACA-required balance in the membership of that committee.

3. All documents relating to the Homeland Security Advisory Council Disinformation Best Practices and Safeguards Subcommittee, including selection of its member, minutes of its meetings, and communications by this subcommittee and any of its members. This request includes all documents relating to any balance of subcommittee members pursuant to FACA.

4. All documents that mention any of the Plaintiffs in this lawsuit (Pierre Kory, Paul Marik, Karl Hanson, and the Association of American Physicians and Surgeons Educational Foundation or its abbreviation, AAPS), or mention Jane Orient (the Executive Director of AAPS) or Peter McCullough.

5. All documents that mention any of the Individual Plaintiffs or their abbreviations:

- American Board of Internal Medicine (ABIM)
- American Board of Obstetrics & Gynecology (ABOG)
- American Board of Family Medicine (ABFM)

6. All documents that mention “disinformation”, “misinformation”, or “malinformation”.

7. All documents that mention “Covid” or “Covid-19”, regardless of whether it is capitalized.

8. All documents that mention “ivermectin”, “hydroxychloroquine”, or HCQ.
9. All documents that mention the Federation of State Medical Boards or its abbreviation, FSMB.
10. All documents that mention “medical board”, as in any state medical or a group of state medical boards.
11. All documents that mention Scott Gottlieb, Pfizer, Moderna, “Big Pharma”, “pharmaceutical” or, in connection with “manufacturer”, “supplier”, “company”, “maker”, or “industry”, the term “vaccine”.
12. All documents that mention “Elon” or “Musk” (in reference to Elon Musk), or “Trump” (in reference to Donald Trump).
13. All documents that mention “RFK” or “Kennedy” in reference to Robert F. Kennedy, Jr.

Dated: March 11, 2025

Respectfully submitted,

/s/ Andrew L. Schlafly

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Foundation, Pierre Kory, M.D., Paul Marik,  
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## CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 11<sup>th</sup> day of March, 2025, a true and correct paper copy of the foregoing was sent, via first-class prepaid postage to the lead counsel of record as noted below for each of the parties, and an electronic copy was emailed to all of the counsel for the parties as set forth below:

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